

REMARKS

Prior to addressing the restriction requirement, applicant would respectfully like to point out an inconsistency between the number of pending claims referenced in the Office Action of March 29, 2006, and the number of claims as originally filed. Applicant counts 65 claims as originally filed. However, the Office Action Summary indicates that 64 claims are pending, while the text of the Office Action indicates that 56 claims are subject to restriction. Applicant respectfully requests clarification of this apparent discrepancy.

Turning now to the restriction requirement, claims 1-56 have been subject to restriction under 35 U.S.C. §121, and divided into the following alleged inventions:

- I. Claims 1-24, drawn to an absorbent article, classified in class 604, subclass 385.101;
- II. Claims 25-56, drawn to a method of making an absorbent article, classified in class 156, subclass 265.

This restriction requirement is respectfully traversed.

The Examiner acknowledges that inventions of groups I and II are related as a process of making and a product made thereby. However, the Examiner states that the inventions are distinct since the claimed process can be used to make products other than those claimed in claim 1.

Applicant submits that the Examiner's position in this respect is entirely speculative since products having alternative characteristics have not been specified, and would require experimentation on the part of a skilled artisan.

Notwithstanding, in the event that the restriction requirement is adhered to, applicant hereby elects the invention of group II (claims 25-56) for further prosecution on the merits, this election being made with traverse.

In view of the foregoing, prompt and favorable action on this application is respectfully requested.

Respectfully submitted,

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